

Appl. No. 09/197,278**Supplemental Amendment****Page 6**

- D₅*
- 55.(New) The stent of claim 54 wherein the first interconnecting elements are linear.
- 56.(New) The stent of claim 54 wherein the first and second undulating band-like elements are characterized by different amplitudes.
- 57.(New) The stent of claim 54 wherein the first path length is longer than the second path length.
58. (New) The stent of claim 46 wherein the first amplitude is equal to the second amplitude and the first wavelength is equal to the second wavelength.--

REMARKS

This supplemental amendment is submitted in response to the Office Action dated July 31, 2000, in response to the Communication transmitted June 25, 2001 and in response to a teleconference with the Examiner on July 20, 2001. In the teleconference, the Examiner called to Applicant's attention US 5,911,754, US 5,938,697, US 6, 017,365 and US 5,855,600.

Applicant has amended the specification to indicate that the parent application is a Continuation-in-Part of Application No. 08/396,569, filed March 1, 1995. Applicant has amended claim 39 to recite that the stent has a proximal end and a distal end and a longitudinal axis and that each undulating band-like element of the stent extends about the longitudinal axis. The claim has also been amended to recite that the plurality of undulating band-like elements extends from the proximal end of the stent to the distal end of the stent and that adjacent undulating band-like elements are separated by gaps which are shorter in longitudinal length than the undulating band-like elements. The claim has been further amended to recite that the number of peaks on the first undulating band-like element exceeds the number of first interconnecting elements and that the number of peaks on the second undulating band-like element exceeds the number of second interconnecting elements. The remaining amendments to the claim have been made solely to improve the readability of the claim and do not narrow the scope of the claim. Claim 46 has been amended to recite that the stent has a longitudinal axis and that each undulating band-like element of the stent extends about the longitudinal axis. The remaining amendments to the claim have been made solely to improve the readability of the claims. Claim

D

Appl. No. 09/197,278**Supplemental Amendment****Page 7**

49 has been amended to comport with the language of claim 46.

Claims 40, 41 and 45-47 have been amended solely to improve the readability of the claims. The amendments do not narrow the scope of the claims.

Claim 50 has been amended to recite that the stent has a longitudinal axis and that each undulating band-like element extends about the longitudinal axis. Claim 50 also has been amended to recite that undulating band-like elements which are adjacent one another are separated by a gap which is shorter in longitudinal length than each of the adjacent undulating band-like elements. The remaining amendments to the claim have been made solely to improve the readability of the claim and do not narrow the scope of the claim. New claims 53-58 have been added. New claims 53-57 are supported by Fig. 2 as filed. New claim 58 is supported by Fig. 12 as filed. Applicant reserves the right to prosecute the subject matter of the claims that were pending prior to this amendment in an application claiming priority from the instant application. No new matter has been added by the amendments.

Applicant has canceled claims 1-38 without prejudice or disclaimer in order to focus on claims 39-58. Applicant reserves the right to prosecute the subject matter of claims 1-38 in an application claiming priority from the instant application.

DE 197 22 384 has a publication date of December 3, 1998, subsequent to the November 20, 1998 filing date of the instant application and therefore is not prior art to the application. Moreover, US 6190405 which claims priority from DE 197 22 384 has a 102(e) date of May 25, 1999 and is therefore not prior art to the instant application.

WO 99/07308 has a publication date of February 18, 1999 and is not prior art to the instant application.

US 5,836,966 is not prior art as to those claims supported by the August 3, 1995 filing date of the parent application US Application No. 08/511,076 from which this application claims priority.

PCT/US96/02615 is the PCT counterpart to the parent application of the above application and is not prior art to any of the disclosure of the parent application US Application No. 08/511,076.

CONCLUSION

D

Appl No. 09/197,278
Page 8

Supplemental Amendment

It is believed that the present application is in condition for allowance. Early action to that effect is earnestly solicited.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS, P.A.

Date: August 1, 2001

By: 

Jonathan Grad

Registration No. 41,795

Suite 2000
6109 Blue Circle Drive
Minnetonka, MN 55343-9185
Phone: (952) 563-3000
Facsimile: (952) 563-3001

Application No. 09/197,278

Marked-up amendments

Page 2

Please replace the paragraph beginning on line 3, page 1 of the specification with the following paragraph:

This application is a Continuation-in-Part of [a]Application [Serial] No. 08/511,076 filed August 3, 1995, the disclosure of which is hereby incorporated by reference, which is a Continuation-in-Part of Application No. 08/396,569, filed March 1, 1995 (abandoned).

Marked-up claims:

39.(Amended) [The stent of claim 1,] A stent with a proximal end, a distal end and a longitudinal axis, the stent comprising:

a plurality of undulating band-like elements having alternating peaks and troughs, each undulating band-like element extending about the longitudinal axis, the plurality of undulating band-like elements extending from the proximal end of the stent to the distal end of the stent, adjacent [the plurality of] undulating band-like elements [including two interconnected, non-abutting undulating band-like elements] separated by gaps which are shorter in longitudinal length than the undulating band-like elements, [located at a proximal end of the stent and at least two interconnected, non-abutting undulating band-like elements located at a distal end of the stent,]

the plurality of undulating band-like elements including a first undulating band-like element, [having alternating first peaks and first troughs, the first peaks longitudinally aligned with one another and the first troughs longitudinally aligned with one another,] a second undulating band-like element [having alternating second peaks and second troughs, the second peaks longitudinally aligned with one another and the second troughs longitudinally aligned with one another] and a third undulating band-like element, [having alternating third peaks and third troughs, the third peaks longitudinally aligned with one another and the third troughs longitudinally aligned with one another] the second undulating band-like element disposed between the first and third undulating band-like elements, and

a plurality of interconnecting elements extending between undulating band-like elements which are adjacent one another, each interconnecting element having a first end and a second end which is offset circumferentially and longitudinally along the stent from the first end,

the plurality of interconnecting elements including first interconnecting elements and second interconnecting elements, [each first interconnecting element having a first end and a second end, the first end circumferentially and longitudinally displaced from the second end, each second interconnecting element having a first end and a second end, the first end circumferentially and longitudinally displaced from the second end,]

the first interconnecting elements extending between [first] peaks on the first undulating band-like element and [second] troughs on the second undulating band-like element, the number of peaks on the first undulating band-like element exceeding the number of first interconnecting elements,

the second interconnecting elements extending between [second] peaks on the second undulating band-like element and [third] troughs on the third undulating band-like element, the

D